

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GOVERNMENT OF GUAM RETIREMENT  
FUND, et al.,

Plaintiffs,

v.

INVACARE CORPORATION et al.,

Defendants.

Case No. 1:13-cv-1165

Judge Christopher A. Boyko

**MOTION FOR ADMISSION  
PRO HAC VICE OF  
NIKI L. MENDOZA**

Pursuant to Local Rule 83.5(h), Lead Plaintiff, the Government of Guam Retirement Fund (“Guam”), by and through counsel, hereby moves this Honorable Court to admit Niki L. Mendoza *pro hac vice* to the United States District Court, Northern District of Ohio, for the purpose of prosecuting the above-captioned case. Mrs. Mendoza’s contact information is as follows:

Niki L. Mendoza  
Bernstein Litowitz Berger & Grossmann LLP  
12481 High Bluff Drive, Suite 300  
San Diego, CA 92130  
Telephone: 858-793-0070  
Facsimile: 858-793-0323  
Email: nikim@blbglaw.com

Attached hereto and incorporated herein as if fully rewritten is the Verified Statement and Oath of Niki L. Mendoza.

WHEREFORE, Niki L. Mendoza is an attorney in good standing of good and sufficient experience to conduct herself with acumen in the United States District Court for the Northern

District of Ohio and Lead Plaintiff, Guam, hereby moves for the admission of Niki L. Mendoza *pro hac vice*.

Dated: October 2, 2015

Respectfully submitted,

/s/ Benjamin Galdston

**BERNSTEIN LITOWITZ BERGER  
& GROSSMANN LLP**

Blair A. Nicholas (admitted *Pro Hac Vice*)  
Benjamin Galdston (admitted *Pro Hac Vice*)  
David R. Kaplan (admitted *Pro Hac Vice*)  
12481 High Bluff Drive, Suite 300  
San Diego, California 92130  
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*Counsel for Lead Plaintiff Government of  
Guam Retirement Fund and the Settlement  
Class*

Scott D. Simpkins (0066775)  
John R. Climaco (0011456)  
**CLIMACO, WILCOX, PECA,  
TARANTINO & GAROFOLI CO., LPA**  
55 Public Square, Suite 1950  
Cleveland, Ohio 44113  
Telephone: (216) 621-8484  
Facsimile: (216) 771-1632

*Local Counsel for Lead Plaintiff Government  
of Guam Retirement Fund*

**CERTIFICATE OF SERVICE**

A copy of the foregoing was filed electronically this 2nd day of October, 2015. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Benjamin Galdston  
Benjamin Galdston

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

GOVERNMENT OF GUAM RETIREMENT  
FUND, et al.,

Plaintiffs,

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Defendants.

Case No. 1:13-cv-1165

Judge Christopher A. Boyko

**VERIFIED STATEMENT AND OATH  
OF NIKI L. MENDOZA IN SUPPORT  
OF APPLICATION FOR *PRO HAC*  
VICE ADMISSION**

I, Niki L. Mendoza, under the authority of the rules governing admission to the United States District Court, Northern District of Ohio, Eastern Division, move this Court for permission to participate *pro hac vice* as counsel in the above-referenced case and would show the Court as follows:

1. I am a Senior Counsel of the firm of Bernstein Litowitz Berger & Grossmann LLP, the Court-appointed Lead Counsel in this Action, with the office location of 12481 High Bluff Drive, Suite 300, San Diego, CA 92130; Telephone: 858-793-0070; Facsimile: 858-793-0323; Email: nikim@blbglaw.com.

2. The firm that I am a Senior Counsel of is and has been counsel for Guam in the past and Guam was able to secure the services of Scott D. Simpkins, who is a practicing attorney, member of the State Bar of Ohio, and admitted to practice before this Court. Mr. Simpkins' bar registration number is 0066775. The firm address is as follows: Climaco, Wilcox, Peca, Tarantino & Garofoli Co., L.P.A., 55 Public Square, Suite 1950, Cleveland, OH 44113.

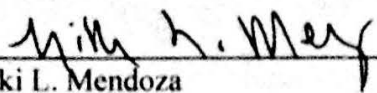
3. I became admitted to practice in the state of Hawaii on October 31, 1997, and I am an inactive member in good standing. My Hawaii Bar Number is 006945. I became admitted to practice in the state of California on October 1, 2001, and I am an active member in good standing. My California Attorney Registration number is 214646. I became admitted to practice in the state of Oregon, on May 16, 2013, and I am an active member in good standing. I have also been admitted to practice before the United States Court of Appeals for the Second, Fifth, Ninth, Tenth and Eleventh Circuits, as well as the United States District Court in the Central District of California, Southern District of California, Northern District of California, Eastern District of California, District of Oregon and the District of Hawaii.

4. I have never been disbarred or suspended from practice before any court, Department, bureau or commission of any State or the United States, or ever received any reprimand from any such court, department, bureau or commission pertaining to conduct or fitness as a member of the bar of any jurisdiction in which I have been licensed.

5. This Verified statement is accompanying a motion of attorney, Benjamin Galdston, and below is an Oath per Local Rule 83.5(f).

6. Attached hereto are true and correct copies of Certificates of Good Standing from the Supreme Court of California, the Supreme Court of Oregon and the Supreme Court of Hawaii.

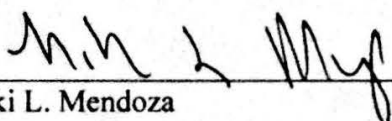
WHEREFORE, Movant, Niki L. Mendoza, prays that this Court grant her permission to participate as a non-resident attorney in the proceedings of this case.

 10/2/15  
\_\_\_\_\_  
Niki L. Mendoza

**OATH**

Pursuant to Local Rule 83.5(f):

I, Niki L. Mendoza, do solemnly swear that as an attorney of this Court, I will conduct myself uprightly, according to the law and the ethical standards of the ethical standards of the Ohio Rules of Professional Conduct adopted by the Supreme Court of Ohio, so far as they are not inconsistent with Federal Law, and that I will support the Constitution and laws of the United States.

 10/2/15  
\_\_\_\_\_  
Niki L. Mendoza



## Supreme Court of California

FRANK A. McGUIRE

*Court Administrator and Clerk of the Supreme Court*

### CERTIFICATE OF THE CLERK OF THE SUPREME COURT

OF THE

STATE OF CALIFORNIA

NIKI LIN MENDOZA

*I, FRANK A. McGUIRE, Clerk of the Supreme Court of the State of California, do hereby certify that NIKI LIN MENDOZA, #214646, was on the 1st day of October, 2001, duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.*

*Witness my hand and the seal of the court  
on the 10th day of September, 2015.*

FRANK A. McGUIRE

*Clerk of the Supreme Court*

By: \_\_\_\_\_

*J. Hunter, Senior Deputy Clerk*





STATE OF OREGON  
SUPREME COURT  
SALEM

In the Matter of the Admission of

NIKI LIN MENDOZA

as an Attorney of this Court.

I, as State Court Administrator of the State of Oregon, certify that on the  
16th day of May, 2013,

NIKI LIN MENDOZA

was admitted to the practice of law in the Supreme Court and all other courts in the State of  
Oregon, and is now an attorney in good standing.

September 9, 2015.

KINGSLEY W. CLICK  
State Court Administrator



  
Authorized Representative

## IN THE SUPREME COURT OF HAWAI'I,

In the Matter of

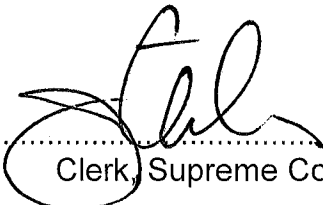
**NIKI L. MENDOZA**

.....  
Attorney at Law.  
.....

### CERTIFICATE OF STANDING

I, JoAnn Y. Takeuchi clerk of the Supreme Court of the State  
of Hawai'i, do hereby certify that NIKI L. MENDOZA  
is an attorney and was admitted to practice as an attorney, counselor and solicitor in all  
the courts of the State of Hawai'i on October 31, 1997 ;  
She is inactive - voluntary member of the bar of Hawai'i in good standing.

DATED: Honolulu, Hawai'i, September 10, 2015  
.....

  
.....  
Clerk, Supreme Court of Hawai'i.